

Message Text

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ACTION ARA-20

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 SAM-01 DRC-01 /100 W
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R 211855Z FEB 74

FM AMEMBASSY KINGSTON

TO SECSTATE WASHDC 4034

INFO AMEMBASSY BRIDGETOWN

AMEMBASSY GEORGETOWN

AMEMBASSY PORT OF SPAIN

LIMITED OFFICIAL USE KINGSTON 610

EO 11652: N/A

TAGS: PINT, JM

SUBJECT: DOUGLAS MANLEY FACES LOSS OF HOUSE SEAT

1. WINDING UP TWO OF HEARINGS AND INVESTIGATIONS, THE CHIEF JUSTICE OF JAMAICA DECIDED ON FEB 20 THAT DOUGLAS MANLEY, THE MINISTER OF YOUTH AND COMMUNITY DEVELOPMENT AND BROTHER OF THE PRIME MINISTER, WAS ACTUALLY DEFEATED IN HIS RACE FOR THE SOUTHERN MANCHESTER CONSTITUENCY DURING THE 1972 GENERAL ELECTIONS. IN MAKING HIS RULING THE CHIEF JUSTICE AWARDED 136 VOTES WHICH WERE REJECTED BY LOCAL ELECTION OFFICIALS TO MANLEY'S OPPONENT, JLP CANDIDATE KENNETH SMITH, AND SEVEN TO MANLEY. THE REALLOCATION RESULTED IN A SWING FROM A MAJORITY OF 94 FOR MANLEY TO A MAJORITY OF 35 FOR SMITH. THE CHIEF JUSTICE SAID THAT HE WOULD OFFICIALLY INFORM THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF HIS FINDINGS

2. ONE OF THE LAWYERS FOR SMITH INFORMED AN EMBOFF TODAY THAT, AS THE CHIEF JUSTICE'S DECISION WAS BASED ON A FINDING OF FACT, IT WAS UNLIKELY THAT EITHER MANLEY
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OR THE PEOPLES NATIONAL PARTY WOULD APPEAL THE DECISION

TO THE COURT OF APPEAL (JAMAICA'S HIGHEST COUR). HE SAID THAT THE CHIEF JUSTICE WOULD PROBABLY INFORM THE SPEAKER OF HIS FINDINGS LATER THIS WEEK AND THAT SMITH WOULD PROBABLY BE SWORN IN NEXT WEEK.

3. IF NO APPEAL IS TAKEN, DOUGLAS MANLEY WILL HAVE TO RESIGN FROM HIS CABINET POST. HE THEN COULD BE APPOINTED TO A RECENTLY VACATED SENATE SEAT, A VACANT AMBASSADORSHIP, OF SLIP QUIETLY BACK INTO PRIVATE LIFE.

4. COMMENT THE RESULT OF THIS LONG-DELAYED COURT CASE CAME AS NO SURPRISE. IT IS A BIT OF AN EMBARRASSMENT TO THE PRIME MINISTER, HOWEVER, WHO FACES THE PROSPECT OF ACCEPTING THE RESIGNATION OF HIS OWN BROTHER AND IT WILL ALTER THE ALIGNMENT IN THE HOUSE OF REPRESENTATIVES TP: PNP-34; JLP-17; IND-2. WHILE A DECISION TO APPEAL THE DECISION MAY BE UNLIKELY, IT COULD BE TEMPTING IN THAT IT COULD STRETCH OUT THE FINAL DISPOSITION OF THE CASE FOR SEVERAL MORE YEARS. HEWITT

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